COUNTY DEPARTMENT AGENDA REQUEST

Department:	Planning and Zoning	Presenter(s):	Pete Frisina
Meeting Date:	Wednesday, March 2, 2011	Type of Request:	New Business

Wording for the Agenda:

Ms. Kiana Robinson, owner of Kidology Preschool in College Park, would like to request the Board's consideration of amending the Zoning Ordinance related to set-backs and buffers, which would allow her to establish a similar facility in north Fayette County.

Background/History/Details:

Kiana Robinson is the owner and operator of Kidology preschool located in College Park, Georgia. Since her three years in operation began, she would now like to open a second preschool in Fayette County. The site she is interested is located at an abandoned storefront at 560 West Bridge Road in Fayetteville. Although she would like to open her business, she believes that the space dimensions required in the County's current commercial zoning setback and buffer limitations will not allow her to open her preschool business. The use she proposes in a "conditional use".

Ms. Robinson is asking the Board to consider amending the County's zoning requirements. Fayette County Code, Zoning Ordinance Article VII. Conditional Uses, Nonconformances, Transportation Corridor Overlay Zone, and Commercial Development Standards, is the code she would like to discuss.

Ms. Robinson has met with Planning and Zoning Staff and now has requested a meeting with the Board to explain her case and to learn if the Board has interest in her request.

What action are you seeking from the Board of Commissioners?

Staff requests the Board's direction on how to proceed in this matter. If a code amendment is desired, the process would involve advertising proposed amendments and public hearings before the Planning Commission and the Board of Commissioners.

If this item requires funding, please describe:

Not applicable.

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?	No	Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

The Kidology Preschool
Where learning connects to life.

To Whom It May Concern:

My name is Kiana Robinson, owner/operator of the Kidology preschool in College Park, GA. I have been a business owner for the past three years and as such, I've amassed a considerable amount of experience communicating and negotiating with various federal and state agencies, including Fulton permitting/zoning offices.

I currently live in Fayetteville and I perceive a business opportunity within the Fayetteville community, which would necessitate a zoning change regarding setback and buffer regulations. I would like to address this matter and request a review of the local zoning ordinances pertinent to the following:

562 (XR)

There is an abandoned storefront property located at 560 West Bridge Rd., Fayetteville, GA 30214. The site would be an ideal location for a preschool in an area of the city that would clearly benefit from having this service in the community. However, due to the space dimensions required in the current commercial zoning setback and buffer regulations, this enterprise is currently deemed ineligible.

That's unfortunate because a quality, preschool in the area would offer the following benefits to the community:

- **Eliminate an existing abandoned building situation and positively impact neighborhood property values.**
- **Offer a needed, affordable preschool education and daycare service to the surrounding community.**

- Improve the landscape aesthetics of the area.

- Provide a social hub of family activity within the neighborhood.

Easing the zoning requirements in the area, specifically regarding setback and buffer dimension requirements is needed to aid and abet business potential in the area – especially during this era of challenging economic climate. A recent preliminary focus group survey indicates local Fayetteville residents living near the address in question support a regulatory environment that promotes creative business growth.

A Kidology Pre-School in the area would be an example of that type of local governmental responsiveness to the business needs of the community.

I will call shortly to discuss your view on the matter, and any necessary procedures that I can do to promote the above-mentioned opportunity.

Thank you for consideration,

Sincererly,

Kiana Robinson

3890 Stonewall Tell Road *College Park, GA. 30349 * Office: 404.343.3020 * Fax: 678.705.4724

ARTICLE VII. CONDITIONAL USES, NONCONFORMANCES, TRANSPORTATION CORRIDOR OVERLAY ZONE, AND COMMERCIAL DEVELOPMENT STANDARDS

Sec. 7-1. Conditional Use Approval. Conditional Uses include certain uses which are allowed in a particular zoning district provided that all conditions specified under the Zoning Ordinance are met. The Zoning Administrator shall issue a Conditional Use Permit for each use listed below upon compliance with all specified conditions and approvals by the appropriate County officials.

A. *Special Regulations*. Prior to the issuance of a Conditional Use permit and/or building permit, a site plan, as applicable to demonstrate compliance shall be submitted to the Zoning Administrator and approved by the applicable departments. This requirement shall apply to all Conditional Uses allowed within the various zoning districts except for: farm outbuildings, home occupations, single-family residences, and temporary meetings and/or events which are conducted no longer than 14 calendar days per year.

B. *Conditional Uses Allowed*:

17. *Day Care Facility (Nursery School.)* (Allowed in C-C, C-H, O-I, A-R, and MHP Zoning Districts, and <u>Church and/or other Place of Worship</u> (see Article VII.)

a. A day care facility may be approved as long as it maintains active certification from the Georgia Department of Human Resources. Should the state certification lapse or be revoked, the Conditional Use permit shall be null and void.

b. A preliminary license report from the Georgia Department of Human Resources shall accompany the application for a Conditional Use Permit.

c. Outdoor play areas shall be located to the side or rear of the principal building.

d. At least 100 square feet of outdoor play area shall be provided for each child during the period of maximum attendance.

e. A fence measuring at least four (4) feet in height shall enclose the entire play area.

f. If the side or rear yard abuts a residential or A-R Zoning District, a minimum 50 foot buffer shall be provided adjacent to the lot line. The side yard setback shall be 50 feet. The rear yard setback shall be 75 feet. The setback shall be measured from the buffer.

g. If adjoining a residential or A-R Zoning District, the hours of operation shall be limited to: Monday through Saturday from 6:00 a.m. to 7:00 p.m., except that all exterior activities shall only occur from 9:30 a.m. to 4:00 p.m.

h. A convenient vehicle drop-off area shall be provided, permitting vehicles to re-enter the public street in a forward manner.